

April 17, 1989  
EN 89-44

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Toledo Edison Company (EA 89-49)  
(Davis Besse)  
Docket No. 50-346

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$50,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of Fifty Thousand Dollars (\$50,000) will be issued on or about April 21, 1989 to Toledo Edison Company. This action is based on a number of violations identified as the result of an inspection following an improper reactor startup that occurred on December 18, 1988. The escalation and mitigation factors of the Enforcement Policy were considered and no adjustment was warranted in this case.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice	April 21, 1989
Telephone Notification of Licensee	April 21, 1989

The State of Ohio will be notified.

The licensee has thirty days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

Contact: J. Luehman, OE, 23280 J. Lieberman, OE, 20741

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